



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, AUGUST 8, 2019**

Opening Moment: Pastor Anthony Raybourne, Austin Central Seventh Day Adventist Church.

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, August 8, 2019 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Adler called the Council Meeting to order at 10:31 a.m.

CONSENT AGENDA

The following items were acted on by one motion.

1. Approve the minutes of the Austin City Council work session of June 18, 2019, special called of June 19, 2019, and regular meeting of June 20, 2019.
The motion approving the minutes of the Austin City Council work session of June 18, 2019, special called of June 19, 2019, and regular meeting of June 20, 2019 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
2. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent electric transmission and distribution easement consisting of approximately 2,245 square feet out of the John Applegait Survey Number 58, for the Austin Energy Transmission Circuit 811 Upgrade Project, located at 9813 N. Lamar Blvd., and being a portion of Lot 1A, Resubdivision of Lot 1 Block B, Northwend Phase B, Section One, recorded in Vol. 93, Pg. 279 of the Plat Records of Travis County, Texas, in an amount not to exceed \$61,149. District(s) Affected: District 4.
The motion authorizing negotiation and execution of all documents and instruments necessary or desirable to acquire a permanent electric transmission and distribution easement was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
3. Approve issuance of incentives to the Housing Authority of the City of Austin for the installation of solar electric systems on two multifamily affordable housing communities: Pathways at Chalmers Courts South, located at 1638 E. 2nd St., for an estimated amount of \$151,110; and

Pathways at Goodrich Place, located at 2126 Goodrich Ave., for an estimated amount of \$257,950; for a combined total amount not to exceed \$409,060. District(s) Affected: District 3, District 5.

The motion approving issuance of incentives to the Housing Authority of the City of Austin was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

4. Approve issuance of a rebate to Costco Wholesale Corp., for performing energy efficiency improvements at the Costco facility located at 10401 Research Blvd., in an amount not to exceed \$73,877. District(s) Affected: District 7.

The motion approving issuance of a rebate to Costco Wholesale Corp. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

5. Authorize negotiation and execution of a 12-year power purchase agreement with E.ON Climate & Renewables, for up to 200 megawatts of electricity from a utility-scale wind-generation facility, in an estimated amount of up to \$17,000,000 per year, for a total estimated amount of up to \$204,000,000.

The motion authorizing negotiation and execution of a 12-year power purchase agreement with E.ON Climate & Renewables was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

Direction was given to staff to explore appropriate adjustment for migration or the flyways.

6. Authorize negotiation and execution of a financing agreement with the Texas Water Development Board for a 20-year low-interest loan in the amount of \$6,200,000 through the State Water Implementation Fund for Texas loan program, for the implementation of Austin Water's Advanced Metering Infrastructure project.

The motion authorizing negotiation and execution of a financing agreement with the Texas Water Development Board was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

7. Authorize negotiation and execution of an amendment to the professional services agreement with CAS Consulting & Services, Inc. (MBE) for engineering services for the Williamson Creek Wastewater Interceptor project in the amount of \$2,400,995.53, for a total contract amount not to exceed \$6,459,995.53. [Note: This amendment will be awarded in compliance with City Code 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 54.71% MBE and 12.89% WBE.] District(s) Affected: District 2, District 3.

The motion authorizing negotiation and execution of an amendment to the professional services agreement with CAS Consulting & Services, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

8. Authorize award and execution of a construction contract with Rider Construction Group, LLC, for the Walsh Boat Landing - Site Improvements project in the amount of \$1,112,766.37 plus a

\$111,276.63 contingency, for a total contract amount not to exceed \$1,224,042.90. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 13.92% MBE and 2.33% WBE participation.] District(s) Affected: District 10.

The motion authorizing the award and execution of a construction contract with Rider Construction Group, LLC was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

9. Authorize award and execution of a construction contract with L.D. Tebben Company, Inc. for the East Austin Neighborhood Center Roof Replacement for a total contract amount not to exceed \$609,629.00. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 4.00% MBE and 2.33% WBE participation.] District(s) Affected: District 3.

The motion authorizing the award and execution of a construction contract with L.D. Tebben Company, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

10. Approve a resolution finding that the use of the Competitive Sealed Proposal method of contracting, as authorized by Subchapter D, Chapter 2269 of the Texas Government Code, is the project delivery method that provides the best value to the City for the Brush Square - O. Henry Museum Restoration project to restore the museum building. (Note: MBE/WBE goals will be established prior to issuance of this solicitation.) District(s) Affected: District 9.

Resolution No. 20190808-010 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

11. Authorize negotiation and execution of a professional services agreement with CDM Smith, Inc., (staff recommendation) or one of the other qualified responders for Request for Qualifications Solicitation No. CLMP267 to provide on-call environmental/civil engineering and sustainability management consulting services for the 2019 Austin-Bergstrom International Airport Environmental and Engineering Services in an amount not to exceed \$2,000,000. [Note: This contract will be awarded in compliance with City Code Chapter 2-9B (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 16.00% MBE and 15.80% WBE participation.] District(s) Affected: District 2.

The motion authorizing negotiation and execution of a professional services agreement with CDM Smith, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

12. Authorize award and execution of a construction contract with Facilities Rehabilitation, Inc. (MBE), for the Future Downtown Substation Water & Wastewater Relocation project, in the amount of \$594,021 plus a \$59,402 contingency, for a total contract amount not to exceed \$653,423. [Note: This contract will be awarded in compliance with City Code Chapter 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program) by meeting the goals with 98.65% MBE and 1.35% WBE participation.] District(s) Affected: District 9.

The motion authorizing the award and execution of a construction contract with Facilities Rehabilitation, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

13. Authorize an amendment to the construction contract with Alpha Paving Industries, LLC (MBE), for the Annual Asphalt Repair Contract 2018 (North) Indefinite Delivery/Indefinite Quantity contract for additional funding in the amount of \$562,500, for a total contract amount not to exceed \$2,812,500. [Note: This contract was awarded in compliance with City Code 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 100.00% MBE and 0.00% WBE.] District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, District 10.

The motion authorizing an amendment to the construction contract with Alpha Paving Industries, LLC was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

14. Authorize an amendment to the construction contract with Alpha Paving Industries, LLC (MBE), for the Annual Asphalt Repair Contract 2018 (South) Indefinite Delivery/Indefinite Quantity contract for additional funding in the amount of \$562,500, for a total contract amount not to exceed \$2,812,500. [Note: This contract was awarded in compliance with City Code 2-9A (Minority Owned and Women Owned Business Enterprise Procurement Program). Current participation to date is 60.98% MBE and 0.00% WBE.] District(s) Affected: District 1, District 2, District 3, District 4, District 5, District 6, District 7, District 8, District 9, District 10.

The motion authorizing an amendment to the construction contract with Alpha Paving Industries, LLC was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

Item 15 was pulled for discussion.

16. Adopt a citizen-initiated ordinance, supported by a petition certified sufficient on July 26, 2019, to amend the City Code regarding the use of Austin's Hotel Occupancy Tax revenue.

This item was withdrawn.

Item 17 was pulled for discussion.

18. Authorize the negotiation and execution of an interlocal agreement with Capital Metropolitan Transportation Authority (Capital Metro) for the recording and televising of Capital Metro Board meetings on ATXN.

The motion authorizing the negotiation and execution of an interlocal agreement with Capital Metropolitan Transportation Authority (Capital Metro) was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

19. Authorize negotiation and execution of an interlocal agreement with Austin Travis County Mental Health Mental Retardation Center dba Integral Care for integrated mental health and substance use disorder treatment services for indigent citizens and other eligible clients within the Downtown Austin Community Court, for an initial 12-month term beginning on October 1, 2019

and four 12-month renewal options, each in an amount not to exceed \$543,427, for a total agreement amount not to exceed \$2,717,135.

The motion authorizing the negotiation and execution of an interlocal agreement with Austin Travis County Mental Health Mental Retardation Center doing business as Integral Care was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

20. Authorize the negotiation and execution of Amendment #4 to the interlocal agreement with Austin Travis County Mental Retardation Center dba Integral Care for the Homeless Outreach Street Team, to connect homeless individuals and families with services necessary to begin their process of stability and recovery, by increasing funding for the two remaining 12-month renewal options in the amount of \$20,000 per renewal option, beginning October 1, 2019, for a total increase to the agreement in an amount not to exceed \$40,000.

The motion authorizing the negotiation and execution of Amendment #4 to the interlocal agreement with Austin Travis County Mental Retardation Center doing business as Integral Care was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

21. Approve a resolution adopting the Whisper Valley Public Improvement District 2020 Annual Service and Assessment Plan Update including the apportionment of the assessments among subdivided assessed parcels within the District. District(s) Affected: District 1.

Resolution No. 20190808-021 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

22. Approve a resolution adopting the Indian Hills Public Improvement District 2020 Annual Service and Assessment Plan Update including the apportionment of the assessments among subdivided assessed parcels within the District. District(s) Affected: District 1.

Resolution No. 20190808-022 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

23. Approve a resolution adopting the Estancia Hill Country Public Improvement District 2020 Annual Service and Assessment Plan Update including the apportionment of the assessments among subdivided assessed parcels within the District. District(s) Affected: District 5.

Resolution No. 20190808-023 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

Items 24 through 27 were pulled for discussion.

28. Authorize negotiation and execution of an agreement with the Urban Renewal Agency relating to the roles, responsibilities and processes for the redevelopment of East 11th and 12th Streets for an initial term of 12 months with five 12-month optional extensions. District(s) Affected: District 1.

This item was postponed to August 22, 2019 on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

29. Authorize negotiation and execution of all documents and instruments necessary or desirable to acquire a drainage easement consisting of approximately 7,225 square feet of land and a temporary working space easement consisting of approximately 4,614 square feet of land, for the West Bouldin Creek- Del Curto Drive Storm Drain Improvement Project, all easements being situated in the Isaac Decker League Survey No. 20, being out of Lot 10, Block 2, Fredericksburg Road Acres Subdivision. A Subdivision of Record in Volume 3, Page 168 of the Plat Records of Travis County, Texas, located at 2211 Kinney Road, Austin, Texas 78704, from Carol Sylvia Smith, in an amount not to exceed \$262,665. District(s) Affected: District 5.

The motion authorizing the negotiation and execution of all documents and instruments necessary or desirable to acquire a drainage easement from Carol Sylvia was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

Item 30 was pulled for discussion.

31. Approve an ordinance accepting \$341,014 in grant funds from the Robert Wood Johnson Foundation, and amending the Fiscal Year 2018-2019 Parks and Recreation Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to appropriate these grant funds to study the effects of green infrastructure installed at joint-use school parks located at elementary schools. District(s) Affected: District 2, District 4.

Ordinance No. 20190808-031 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

Items 32 and 33 were pulled for discussion.

34. Approve a resolution authorizing the extension of line of duty injury leave of absence for Austin Police Department Officer Ryan Hancock through January 21, 2020.

Resolution No. 20190808-034 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

35. Approve a resolution authorizing the acceptance of grant funding from the State of Texas, Office of the Governor, Criminal Justice Division to implement the Austin Police Department program titled APD Officer Protective Equipment Project.

Resolution No. 20190808-035 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

36. Approve an ordinance accepting \$96,000 in grant funds from the State of Texas, Office of the Governor, Criminal Justice Division, Justice Assistance Grant Program; and amending the Fiscal Year 2018-2019 Austin Police Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to appropriate \$96,000 for the Austin Police Department Officer Protective Equipment Project.

Ordinance No. 20190808-036 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

37. Approve negotiation and execution of Amendment No. 8 to the agreement with African American Youth Harvest Foundation for the provision of youth development conferences, adding one 12-month extension option beginning October 1, 2019 in amount not to exceed \$83,362, for a total agreement amount not to exceed \$485,915.
The motion authorizing the negotiation and execution of Amendment No. 8 to the agreement with African American Youth Harvest Foundation was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
38. Approve an ordinance authorizing acceptance of \$269,675 in additional grant funds from the Texas Health and Human Services Commission and amending the Fiscal Year 2018-2019 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to appropriate \$269,675 for the Special Supplemental Nutrition Program for Women, Infants, and Children.
Ordinance No. 20190808-038 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
39. Approve an ordinance amending the Fiscal Year 2018-2019 Schedule of Fees, Fines, and Other Charges to be set or charged by the City (Ordinance No. 20180911-002) by reducing all Farmers Market Fees (Class A, B and C) in compliance with Senate Bill 932 of the 86th Legislature.
Ordinance No. 20190808-039 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
40. Authorize negotiation and execution of an agreement with Foundation Communities, Inc. for the provision of sustainable access to health services for seniors for a 13-month term beginning September 1, 2019 and two 12-month extension options, each in an amount not to exceed \$125,000, for a total agreement amount not to exceed \$375,000.
The motion authorizing the negotiation and execution of an agreement with Foundation Communities, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
41. Approve a resolution to authorize acceptance of grant funding in the amount of \$155,354 from the Texas Department of Housing and Community Affairs for the Housing and Homeless Services Program, Homeless Youth Set-Aside. Related to item #42.
Resolution No. 20190808-041 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
42. Approve an ordinance amending the Fiscal Year 2018-2019 Austin Public Health Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to accept and appropriate \$155,354 in grant funding from the Texas Department of Housing and Community Affairs for the Housing and Homeless Services Program, Homeless Youth Set-Aside. Related to item #41.
Ordinance No. 20190808-042 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

43. Approve ratification of expenditures with Austin Armature Works, LP, for wastewater pump repairs, in the amount of \$149,457. (Note: This contract is exempt from the City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).
The motion approving the ratification of expenditures with Austin Armature Works, LP was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
44. Authorize negotiation and execution of a multi-term cooperative contract with W W Grainger Inc., to provide industrial supplies, equipment, tools, and services to be used throughout the city, for up to 53 months for a total contract amount not to exceed \$25,702,750. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion authorizing the negotiation and execution of a multi-term cooperative contract with W W Grainger Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
45. Approve a ratification of emergency expenditures with Fuquay, Inc., for the rehabilitation of a 24' underground storm drain pipe, in the amount of \$79,163. (Note: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).
The motion approving the ratification of emergency expenditures with Fuquay, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
46. Authorize negotiation and execution of a multi-term contract with Visions Paints, Inc., to provide latex paint recycling, for up to five years for a total contract amount not to exceed \$500,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
The motion authorizing the negotiation and execution of a multi-term contract with Visions Paints, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.
47. Authorize negotiation and execution of a multi-term contract with Creative Enterprise Solutions, LLC D/B/A Beyond20, to provide an information technology service management solution, for up to five years for a total contract amount not to exceed \$450,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were insufficient subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the negotiation and execution of a multi-term contract with Creative Enterprise Solutions, LLC doing business as Beyond20 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

48. Authorize award of a multi-term contract with Carus Corporation, to provide liquid phosphate, for up to five years for a total contract amount not to exceed \$2,750,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the award of a multi-term contract with Carus Corporation was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

49. Authorize negotiation and execution of a cooperative contract with Stop Stick, Ltd., for the purchase of tire deflation devices and accessories, in an amount not to exceed \$72,368. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the negotiation and execution of a cooperative contract with Stop Stick, Ltd. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

50. Authorize negotiation and execution of a multi-term cooperative contract with Axon Enterprise, Inc., to provide body worn camera accessories and peripherals, for up to five years for a total contract amount not to exceed \$1,500,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the negotiation and execution of a multi-term cooperative contract with Axon Enterprise, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

51. Authorize negotiation and execution of a multi-term contract with Avolve Software Corporation, to provide software licenses, maintenance, and support for an electronic plan review solution, for up to five years for a total contract amount not to exceed \$3,000,000. (Note: Sole source contracts are exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).

The motion authorizing the negotiation and execution of a multi-term contract with Avolve Software Corporation was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

52. Authorize award of a contract with Innovative Water Solutions LLC, to provide rainwater cisterns and installation, in an amount not to exceed \$85,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
- The motion authorizing the award of a contract with Innovative Water Solutions LLC was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.**
53. Authorize negotiation and execution of a multi-term contract with CLEAResult Consulting Inc. D/B/A CLEAResult, to support Austin Energy's multifamily energy efficiency programs, for up to five years for a total contract amount not to exceed \$2,635,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).
- The motion authorizing the negotiation and execution of a multi-term contract with CLEAResult Consulting Inc. doing business as CLEAResult was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.**
54. Approve ratification of a contract with NESCO Inc., for the seven month lease of tracked bucket trucks, in the amount of \$284,000. (Note: This contract is exempt from the City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program; therefore, no subcontracting goals were established).
- The motion approving the ratification of a contract with NESCO Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.**
55. Authorize negotiation and execution of a multi-term contract with Cority Software Inc., or one of the other qualified offerors to Request for Proposals 1100 BDH3000, to provide a cloud-based software-as-a-service environment, health, safety and quality platform, for up to five years for a total contract amount not to exceed \$1,625,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established. However, the recommended contractor identified subcontracting opportunities).
- The motion authorizing the negotiation and execution of a multi-term contract with Cority Software Inc., was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.**
56. Authorize negotiation and execution of a multi-term cooperative contract with Sirius Computer Solutions, Inc., to provide software services, for up to three years in an amount not to exceed \$300,000. (Note: This procurement was reviewed for subcontracting opportunities in accordance

with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods and services required for this procurement, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the negotiation and execution of a multi-term cooperative contract with Sirius Computer Solutions, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

57. Authorize award of a multi-term contract with ASC, Inc., to provide structural steel, for up to five years for a total contract amount not to exceed \$13,132,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the award of a multi-term contract with ASC, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

58. Authorize award of a multi-term contract with Ennis-Flint, Inc., to provide preformed thermoplastic pavement marking materials, for up to five years for a total contract amount not to exceed \$1,035,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities therefore, no subcontracting goals were established).

The motion authorizing the award of a multi-term contract with Ennis-Flint, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

59. Authorize award of a multi-term contract with Boss Systems LLC D/B/A Hood Boss, for kitchen hood cleaning services, for up to five years for a total contract amount not to exceed \$326,875. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the award of a multi-term contract with Boss Systems LLC doing business as Hood Boss was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

60. Authorize award of a multi-term contract to provide police pursuit tires, with Kando Partners D/B/A Klingemann Car Care #1, a local bidder that offers the City the best combination of contract price and additional economic development opportunities, including employment of residents and increased tax revenues, for up to five years for a total contract amount not to exceed \$1,838,000. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9D Minority Owned and Women Owned Business Enterprise Procurement Program. For the goods required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established).

The motion authorizing the award of a multi-term contract with Kando Partners doing business as Klingemann Car Care #1 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

61. Authorize negotiation and execution of a contract with HHM & Associates, Inc., to provide a historic building survey for University, Windsor and Hyde Park areas, for a term of one year in an amount not to exceed \$160,387. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). District(s) Affected: District 1, District 4, District 9.

The motion authorizing the negotiation and execution of a contract with HHM & Associates, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

62. Authorize negotiation and execution of a contract with Cox McLain Environmental Consulting, Inc., to provide a historic building survey for North Loop, Hancock and Upper Boggy Creek areas, for a term of one year in an amount not to exceed \$245,725. (Note: This solicitation was reviewed for subcontracting opportunities in accordance with City Code Chapter 2-9C Minority Owned and Women Owned Business Enterprise Procurement Program. For the services required for this solicitation, there were no subcontracting opportunities; therefore, no subcontracting goals were established). District(s) Affected: District 1, District 4, District 9.

The motion authorizing the negotiation and execution of a contract with Cox McLain Environmental Consulting, Inc. was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

63. Approve an ordinance suspending a Gas Reliability Infrastructure Program interim rate adjustment proposed by Atmos Energy Corporation's Mid-Tex Division.

Ordinance No. 20190808-063 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

64. Authorize negotiation and execution of an agreement with Ford Smart Mobility LLC for the City:One Challenge, a public engagement program to solicit ideas to address mobility challenges, present those challenges to the community, and develop solutions, in an amount not to exceed \$300,000.

The motion authorizing the negotiation and execution of an agreement with Ford Smart Mobility LLC was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

65. Approve an ordinance authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the design and construction of an extension of Braker Lane from Samsung Boulevard to Dawes Place to provide connectivity and capacity within the roadway network; amending the Fiscal Year 2018-2019 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to accept funds from the Texas Department of Transportation in the amount of \$11,240,000; and amending

the Austin Transportation Department Capital Budget to transfer in and appropriate 11,240,000 for design and construction of this project. District(s) Affected: District 1.

Ordinance No. 20190808-065 was approved on consent on Council Member Alter’s motion, Council Member Renteria’s second on an 11-0 vote.

- 66. Approve an ordinance authorizing negotiation and execution of an Advance Funding Agreement with the Texas Department of Transportation for the design and construction of an expansion of Lakeline Boulevard from Lyndhurst Boulevard to Parmer Lane to provide connectivity and capacity within the roadway network; amending the Fiscal Year 2018-2019 Austin Transportation Department Operating Budget Special Revenue Fund (Ordinance No. 20180911-001) to accept funds from the Texas Department of Transportation in the amount of \$13,700,000; and amending the Austin Transportation Department Capital Budget to transfer in and appropriate \$13,700,000 for design and construction of this project. District(s) Affected: District 6.

Ordinance No. 20190808-066 was approved on consent on Council Member Alter’s motion, Council Member Renteria’s second on an 11-0 vote.

- 67. Approve a resolution authorizing the issuance by Moore's Crossing Municipal Utility District of Unlimited Tax Refunding Bonds, Series 2019, in an amount not to exceed \$3,130,000.

Resolution No. 20190808-067 was approved on consent on Council Member Alter’s motion, Council Member Renteria’s second on an 11-0 vote.

- 68. Approve appointments and certain related waivers to citizen boards and commissions, to Council committees and other intergovernmental bodies and removal and replacement of members; and amendments to board and commission bylaws.

The following appointments and certain related waivers were approved on consent on Council Member Alter’s motion, Council Member Renteria’s second on an 11-0 vote.

Nominations

<u>Board/Nominee</u>	<u>Nominated by</u>
<u>Board of Adjustment</u> Brooke Bailey	Council Member Tovo
<u>Human Rights Commission</u> Courtney Santana	Council Member Flannigan
<u>Ethics Commission</u> Pedro Villalobos	Council Member Pool
<u>Building and Fire Code Board of Appeals</u> Ashley Juraska	Council Member Pool
<u>Electric Board</u> David Adamson	Council Member Pool

Austin-Travis County Food Policy Board

Kasey Hansen

Travis County Commissioners Court

Austin Integrated Water Resource Planning Community Task Force

Hani Michel

Council Member Harper-Madison

Joint Sustainability Committee

Karen Hadden

Electric Utility Commission

Joint Sustainability Committee (Alternate)

Marty Hopkins

Electric Utility Commission

Code and Ordinances Joint Committee

Patricia Seeger

Planning Commission

Code and Ordinances Joint Committee

Awais Azhar

Planning Commission

Code and Ordinances Joint Committee

Conor Kenny

Planning Commission

Code and Ordinances Joint Committee

Greg Anderson

Planning Commission

Comprehensive Plan Joint Committee

Yvette Flores

Planning Commission

Comprehensive Plan Joint Committee

Carmen Llanes-Pulido

Planning Commission

Comprehensive Plan Joint Committee

Fayez Kazi

Planning Commission

Comprehensive Plan Joint Committee

Todd Shaw

Planning Commission

Small Area Planning Joint Committee

Claire Hempel

Planning Commission

Small Area Planning Joint Committee

Patrick Howard

Planning Commission

Small Area Planning Joint Committee

Jeffery Thompson

Planning Commission

Small Area Planning Joint Committee

David King

Zoning and Platting Commission

Small Area Planning Joint Committee

Eric Goff

Zoning and Platting Commission

Small Area Planning Joint Committee

James Shieh	Planning Commission
<u>Joint Sustainability Committee</u>	
Robert Schneider	Planning Commission
<u>Joint Sustainability Committee (Alternate)</u>	
Patricia Seeger	Planning Commission
<u>South Central Waterfront Advisory Board</u>	
Greg Anderson	Planning Commission
<u>South Central Waterfront Advisory Board</u>	
Karen Paup	Community Development Commission
<u>Joint Inclusion Committee</u>	
Alicia Weigel	Human Rights Commission
<u>Joint Inclusion Committee (Alternate)</u>	
Nathan White	Human Rights Commission
<u>Lesbian, Gay, Bisexual, Transgender, and Queer Quality of Life Commission</u>	
Holly Kirby	Council Member Casar
<u>Urban Transportation Commission</u>	
Susan Sommers	Council Member Casar
<u>Downtown Austin Community Court Advisory Board</u>	
Seneca Savoie	Council Member Casar
<u>Zero Waste Advisory Commission</u>	
Lisa Barden	Council Member Flannigan
<u>Environmental Commission</u>	
Perry Bedford	Mayor Adler
<u>Economic Prosperity Commission</u>	
Rachel Green	Mayor Adler
<u>Mechanical and Plumbing Board</u>	
Stephen Seaborn	Mayor Adler
<u>Hispanic/Latino Quality of Life Advisory Commission</u>	
Felicia Pena	Mayor Adler
<u>Hispanic/Latino Quality of Life Advisory Commission</u>	
Melissa Ayala	Council Member Tovo
<u>Mayor's Committee for People with Disabilities</u>	
Jose Levy	Mayor Pro Tem Garza
<u>Hispanic Quality of Life Commission</u>	

Ricardo Garay

Council Member Renteria

Reappointment**Austin-Travis County EMS Advisory Board (Effective September 1st)**

Tracy Dalbosco

Mayor Adler

Waivers

Approve a waiver under Section 2-1-27(e) of the City Code of the training deadline established by Section 2-1-23(B) of the City Code for the following persons appointed to a City board if the person completes the training required by Section 2-1-23 on or before September 6, 2019:

Lottie Dailey	Impact Fee Advisory Committee
Carmen D Llanes Pulido	Hispanic/Latino Quality of Life Resource Advisory Commission

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of David Adamson on the Electric Board.

Approve a waiver of the residency requirement in Section 2-1-21 of the City Code for the service of Rachel Green on the Economic Prosperity Commission.

The following certain related waiver was approved on consent on Council Member Alter's motion, Council Member Renteria's second on a 10-0 vote. Council Member Pool abstained.

Approve a waiver of the filing deadline for the statement of financial information as prescribed in Sections 2-1-25 and 2-7-72 of the City Code and establishing a new deadline of Friday, September 6, 2019 for the following members:

Mary Ellen Latouf	Arts Commission
Eric Goff	Zoning and Platting Commission

69. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the In Light performance, sponsored by Blue Lapis Light, to be held on September 17-22, 2019 and September 26-27, 2019, outside the IBC Bank Plaza in downtown Austin. Council Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Ann Kitchen, Council Member Leslie Pool, Council Member Alison Alter.

The motion to approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the In Light performance, sponsored by Blue Lapis Light, to be held on September 17-22, 2019 and September 26-27, 2019 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

70. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the B.L. Joyce Parade, sponsored by Blackshear Elementary School Parent Teacher Association, which was held on Thursday May 23, 2019, at Huston-Tillotson University. Council Sponsors: Council

Member Natasha Harper-Madison, Council Member Paige Ellis, Mayor Pro Tem Delia Garza, Council Member Alison Alter.

The motion to approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the B.L. Joyce Parade, sponsored by Blackshear Elementary School Parent Teacher Association, which was held on Thursday May 23, 2019 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

Item 71 was pulled for speakers.

72. Approve a resolution directing the City Manager to initiate the creation of an economic development entity, including identifying potential funding sources, soliciting stakeholder feedback on the entity's governance and operational structure, and contracting with a subject matter expert to develop an implementation plan; structure the entity to manage a broad range of projects; and bring a recommendation back to Council during the Fiscal Year 2020 budget deliberations. Council Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Alison Alter, Council Member Ann Kitchen, Council Member Natasha Harper-Madison. **Resolution No. 20190808-072 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.**

73. Approve an ordinance waiving or reimbursing certain fees for the Directors of Volunteers in Austin (DOVIA) Conference, sponsored by DOVIA, which was held on Saturday, August 2, 2019, at the Asian American Resource Center. Council Sponsors: Council Member Natasha Harper-Madison, Council Member Alison Alter, Council Member Paige Ellis, Council Member Gregorio Casar. **Ordinance No. 20190808-073 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.**

74. Approve an ordinance waiving or reimbursing certain fees for the Calvary Chapel Real Life (CCRL) Summer Sports Camp, sponsored by Pastor Fernando Anderson of CCRL Church, which was held on July 17-19, 2019, at the Virginia L. Brown Recreation Center. Council Sponsors: Council Member Natasha Harper-Madison, Council Member Paige Ellis, Council Member Gregorio Casar, Council Member Alison Alter. **Ordinance No. 20190808-074 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.**

Item 75 was pulled for discussion.

76. Approve an ordinance renaming Indiangrass Wildlife Sanctuary to the Louis René Barrera Indiangrass Wildlife Sanctuary, and waiving certain provisions of City Code Chapter 14-1 related to the renaming of parkland. Council Sponsors: Council Member Natasha Harper-Madison, Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Paige Ellis, Council Member Ann Kitchen. **This item was withdrawn.**

Items 77 and 78 were pulled for speakers.

79. Approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the North Shoal Creek 4th of July Parade, sponsored by the North Shoal Creek Neighborhood Association, which was held on Thursday, July 4, 2019, at Pillow Elementary School. Council Sponsors: Council Member Leslie Pool, Council Member Sabino "Pio" Renteria, Council Member Kathie Tovo, Council Member Ann Kitchen, and Council Member Jimmy Flannigan.

The motion to approve the waiver or reimbursement of certain fees under City Code Chapter 14-8 for the North Shoal Creek 4th of July Parade, sponsored by the North Shoal Creek Neighborhood Association, which was held on Thursday, July 4, 2019 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

80. Approve a resolution acknowledging the contributions of Austin Rosewood Community Development Corporation's historic members to the Millennium Youth Entertainment Complex (MYEC) in East Austin and the City of Austin's responsibility to ensure that the MYEC is a viable public institution. Council Sponsors: Council Member Natasha Harper-Madison, Council Member Gregorio Casar, Council Member Leslie Pool, Council Member Paige Ellis, Mayor Pro Tem Delia Garza.

Resolution No. 20190808-080 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

Item 81 was pulled for discussion.

82. Set a public hearing to receive comment on growth-related projects within the Drinking Water Protection Zone to be included in the FY 2019-2020 Capital Budget. (Suggested date: August 28, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for August 28, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

83. Set a public hearing to receive public comment on the proposed rate and fee changes for Austin Water as part of the Fiscal Year 2019-2020 Proposed Budget. (Suggested date: August 28, 2019, at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for August 28, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

84. Set a public hearing related to an application by Provident Realty Advisors, Inc., or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Auro Crossing, located near State Highway 45 and FM 1325, in the City's extraterritorial jurisdiction (Suggested date: August 22, 2019, Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for August 22, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

85. Set a public hearing related to an application by Austin Leased Housing Associated II, Limited Partnership, or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Ventura at Parmer Lane, located at or near 8407, 8509, and 8521 East Parmer Lane, in the City's extraterritorial jurisdiction (Suggested date: August 22, 2019, Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for August 22, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

86. Set a public hearing to receive public comment on proposed rate and fee changes for Austin Energy as part of the Fiscal Year 2019-2020 Proposed Budget. (Suggested date: August 28, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for August 28, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

87. Set a public hearing to consider an ordinance amending Ordinance No. 20120628-138 by amending the map indicating areas with additional regulations applying to Mobile Food Establishments in accordance with Section 25-2-812 of the City Code. (Suggested date September 19, 2019, at Austin City Hall, 301 W. Second Street, Austin, TX.)

The public hearing was set on consent for September 19, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

88. Set a public hearing to receive public comment on the proposed rate and fee changes for Austin Resource Recovery as part of the Fiscal Year 2019-2020 Proposed Budget. (Suggested date: August 28, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set on consent for August 28, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

140. Approve a resolution adopting a maximum proposed property (ad valorem) tax rate of __, __ cents per \$100 taxable value that the City Council will consider for Fiscal Year 2019-2020; and setting the date that the Council will adopt the Fiscal Year 2019-2020 property (ad valorem) tax rate (Suggested date and time: September 10, 2019 at 10:00 a.m. Austin City Hall, 301 West Second Street, Austin TX). Related to items #146 and #147.

This item was withdrawn.

141. Authorize negotiation and execution of Amendment No. 5 to an agreement with The Salvation Army, a Georgia Corporation, for one-time funding for expansion of homeless services to

individuals at the Downtown Shelter and Social Service Center in an amount not to exceed \$500,000, for a total agreement amount not to exceed \$1,745,275.

The motion authorizing the negotiation and execution of Amendment No. 5 to an agreement with The Salvation Army, a Georgia Corporation, was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

142. Authorize negotiation and execution of an agreement with The Salvation Army, a Georgia Corporation, for one-time funding for provision of homeless services to individuals and families with children at the Rathgeber Center in an amount not to exceed \$1,000,000.

The motion authorizing the negotiation and execution of an agreement with The Salvation Army, a Georgia Corporation, was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

143. Approve a resolution initiating the renaming of the Indiangrass Wildlife Sanctuary to the Louis René Barrera Indiangrass Wildlife Sanctuary under City Code Chapter 14-1 (Dedication of or Naming a Public Facility or Property). Council Sponsors: Council Member Natasha Harper-Madison, Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Paige Ellis, Council Member Ann Kitchen.

Resolution No. 20190808-143 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

Item 144 was pulled for discussion.

145. Set a public hearing to consider an ordinance amending Title 25 and Title 30 of the Land Development Code relating to approval deadlines and the administration of land development applications as necessary to comply with House Bill 3167 passed in the 86th Texas legislative session. (Suggested date August 22, 2019, Austin City Hall, Council Chambers, 301 West Second Street, Austin, TX.)

The public hearing was set on consent for August 22, 2019 at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

146. Set public hearings on the proposed property (ad valorem) tax rate for Fiscal Year 2019-2020 (Suggested dates: August 22, 2019 and August 28, 2019, Austin City Hall, 301 W. Second Street, Austin, TX). Related to items #140 and #147.

This item was withdrawn.

147. Set a public hearing to receive public comment on the City of Austin Fiscal Year 2019-2020 Proposed Budget. (Suggested date: August 22, 2019, and August 28, 2019, Austin City Hall, 301 W. Second Street, Austin, TX). Related to items #140 and #146.

The public hearing was set on consent for August 22, 2019 and August 28, 2019, at Austin City Hall, 301 W. Second Street, Austin, TX on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.

Item 148 was pulled for discussion.

149. Approve a resolution calling for state and federal authorities to take all actions necessary to immediately address gun violence and directing the City Manager to send this call for action to the appropriate local, state and federal leaders. Council Sponsors: Council Member Alison Alter, Council Member Kathie Tovo, Council Member Leslie Pool, Mayor Steve Adler, Council Member Paige Ellis.
- Resolution No. 20190808-149 was approved on consent on Council Member Alter's motion, Council Member Renteria's second on an 11-0 vote.**

DISCUSSION ITEMS

144. Approve a resolution related to the prompt improvement of lighting, sanitation, and pedestrian mobility safety in the Red River Cultural District. Council Sponsors: Council Member Kathie Tovo, Mayor Steve Adler, Council Member Natasha Harper-Madison, Council Member Leslie Pool, Council Member Alison Alter.
- Resolution No. 20190808-144 was approved on Mayor Adler's motion on an 11-0 vote.**
81. Approve a resolution directing the City Manager to provide options to support the creation, operation, and maintenance of a high-capacity transit system. Council Sponsors: Council Member Jimmy Flannigan, Mayor Steve Adler, Council Member Ann Kitchen, Council Member Paige Ellis.
- Resolution No. 20190808-081 was approved on Council Member Flannigan's motion, Council Member Tovo's second on an 11-0 vote.**
71. Approve a resolution relating to the identification of at least 10 locations within the boundaries of I-35, 15th Street, Lady Bird Lake, and Lamar Boulevard that are suitable to install free, ADA compliant, 24-hour drinking fountains; the formulation of a budget estimate for the installation, operations, and maintenance of drinking fountains; and an expedited procurement process. Council Sponsors: Council Member Kathie Tovo, Council Member Sabino 'Pio' Renteria, Council Member Paige Ellis, Council Member Alison Alter, Council Member Leslie Pool.
- Resolution No. 20190808-071 was approved as amended below on Council Member Tovo's motion, Council Member Kitchen's second on an 11-0 vote.**

An amendment was made to revise the first Be It Resolved clause to read:

“The City Manager is directed to consult with the relevant City departments, the Downtown Austin Alliance, and other interested stakeholders to identify at least 10 locations within the boundaries of I-35, 15th Street, Barton Springs Road/Riverside Drive along Lady Bird Lake, and Lamar Boulevard, including the Zilker Park area to the west, that would be suitable to install free, ADA compliant, 24-hour drinking fountains. At least two of these proposed locations should be in the area bounded by Red River Street, E. 8th Street, Trinity Street, and E. 7th Street and one in the area near E. 4th Street, in the general vicinity of the Downtown Metro Rail Station and the Convention Center.”

GENERAL CITIZEN COMMUNICATIONS

Katie Deoloz - Rehumanize mobility

Paul Robbins - Solid waste and other city issues

Koo Hyun Kim - ' Texas Austin City Travis County commissioner court are American enemies president Trump enemies'

Audrina Torres - Zero Waste Alliance land sale

Dylan Grams - Landfill, waste management

Melanie McAfee - Zero waste and Landfield

Karole Fedrick - Address library issues – **Not Present.**

Cleo Petricek - Homeless ordinance and shelter

Tracy Shannon - Drag Queens story hour at the Library

John D, Miller - Drag Queens story hour at the Library

Mayor Adler recessed the Council Meeting to go into Executive Session at 12:37 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

102. Discuss legal issues related to open government matters (Private consultation with legal counsel - Section 551.071 of the Government Code).

This item was withdrawn.

103. Discuss legal issues related to the November 2019 election. (Private consultation with legal counsel - Section 551.071 of the Government Code).

104. Discuss matters related to Austin Energy generation resources (Certain Public Power Utilities: Competitive Matters - Section 551.086 of the Government Code).

This item was withdrawn.

105. Discuss legal issues related to legislation enacted by the 86th Legislature. (Private consultation with legal counsel - Section 551.071 of the Government Code).

This item was withdrawn.

106. Discuss legal issues related to Flores v. City of Austin, Cause No. C-1-CV-18-009175, in the County Court at law No. 1, Travis County, Texas (Private consultation with legal counsel-Section 551.071 of the Government Code).

Mayor Adler stated Item 148 would be discussed in Executive Session.

148. Approve an ordinance adopting a Capital Improvement Plan for the expansion of the Convention Center Facility; authorizing an increase in the City of Austin Municipal Hotel Occupancy Tax from 7% to 9% effective August 8, 2019 for the purpose of funding the Convention Center Expansion; and declaring an emergency.

Executive Session ended and Mayor Adler called the Council Meeting back to order at 3:55 p.m.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

114. C14-2019-0007 - Comfort Mobile Home Park - Conduct a public hearing and approve second and third readings of an ordinance amending City Code Title 25 by rezoning property locally known as 7303, 7311, 7401, and 7403 East Riverside Drive (Carson Creek Watershed). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to mobile home residence (MH) district zoning. First reading approved on June 20, 2019. Vote 11-0. Owner: 7307-7403 E Riverside LLC. Staff: Heather Chaffin, 512-974-2122. A valid petition has been filed in opposition to this rezoning case. District(s) Affected: District 3.

This item was postponed to September 19, 2019 at the request of the applicant on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

116. NPA-2016-0014.01.SH - 4500 Nuckols Crossing Road - Conduct a public hearing and approve an ordinance amending Ordinance No. 021010-11, the Southeast Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 4500 Nuckols Crossing Road (Williamson Creek Watershed) from Single Family to Multifamily land use. Staff Recommendation: To deny the applicant's request for Multifamily land use. Planning Commission Recommendation: To be reviewed September 10, 2019. Owner/Applicant: Angelos Angelou and John Sasaridis. Agent: Thrower Design (A. Ron Thrower). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 2.

This item was postponed to October 3, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

117. C14-2017-0010 - 4500 Nuckols Crossing Road Rezoning - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4500 Nuckols Crossing Road (Williamson Creek Watershed). Applicant's Request: To rezone from single family residence-standard lot-neighborhood plan (SF-2-NP) combining district zoning to multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on

September 10, 2019. Owners: Angelos Angelou and John Sasaridis. Applicant: McDowell Housing Partners (Ariana Brendle). Agent: Thrower Design (Ron Thrower). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

This item was postponed to October 3, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

118. C814-2012-0160.01 - 211 South Lamar - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 211 South Lamar Boulevard Northbound and 1211 West Riverside Drive (Lady Bird Lake Watershed). Applicant's Request: To rezone from planned unit development (PUD) district zoning to planned unit development (PUD) district zoning, to change a condition of zoning. This ordinance may include waiver of fees, alternative funding methods, modifications of City regulations, and acquisition of property. Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on August 27, 2019. Owner/Applicant: 16 Piggybank Ltd. (Huston Street). Agent: Drenner Group, PC (Amanda Swor). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5.
This item was postponed to September 19, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
119. NPA-2018-0005.01 - 1501 Airport Commerce Drive - Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 1501 Airport Commerce Drive, (Carson Creek Watershed) from Commercial to Mixed Use land use. Staff recommendation: To deny Mixed Use land use. Planning Commission recommendation: To be reviewed on August 13, 2019. Owner/Applicant: W2 Hill ACP II LP; W2 Real Estate Partners. Agent: Amanda Swor; Drenner Group City Staff: Jesse Gutierrez, (512) 974-1606. District(s) Affected: District 3.
This item was postponed to August 22, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
120. C14-2019-0029 - 1501 Airport Commerce Dr - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1501 Airport Commerce Drive (Carson Creek Watershed). Applicant Request: To rezone from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation: To deny general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on August 13, 2019. Owner/Applicant: W2 Hill ACP II, LP. Agent: Drenner Group, PC (Amanda Swor). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 3.
This item was postponed to August 22, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
121. NPA-2017-0021.01 - 4530 East Ben White Blvd. - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future

land use designation on the future land use map (FLUM) on property locally known as 4530 East Ben White Blvd. (Country Club Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation: Pending. Planning Commission Recommendation: To grant Applicant's request for indefinite postponement. Owner/Applicant: Belco Equities, Inc. Agent: Coats Rose (John M. Joseph). City Staff: Maureen Meredith, (512) 974-2695. District(s) Affected: District 3. **This item was postponed indefinitely at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.**

124. NPA-2018-0021.01 - 5101 East Oltorf - Conduct a public hearing and approve an ordinance amending Ordinance No. 20061116-055 of the East Riverside/Oltorf Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the future land use designation on the future land use map (FLUM) on property locally known as 5101 East Oltorf Street. (Country Club Creek Watershed) from Commercial to Mixed Use land use. Staff Recommendation and Planning Commission Recommendation: To deny Mixed Use land use. Owner/Applicant: Charitable Holdings, II. Agent: Armbrust & Brown (Richard Suttle and Ferris Clements). City Staff: Kathleen Fox, (512) 974-7877. District(s) Affected: District 3. **This item was postponed to October 3, 2019 at the request of the applicant on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.**
125. C14-2018-0080 - 5101 East Oltorf - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5101 East Oltorf Street (Country Club West Watershed). Applicant's Request: To rezone from community commercial-conditional overlay-neighborhood plan (GR-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services -conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning. Owner/Applicant: Charitable Holdings, II (Michael Nellis). Agent: Armbrust & Brown, PLLC (Richard T. Suttle, Jr.). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 3. Petition no longer valid. **This item was postponed to October 3, 2019 at the request of the applicant on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.**
126. C14-2019-0071 - Rose Hill Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 5508 Rose Hill Circle (Williamson Creek Watershed). Applicant's Request: To rezone from limited office-neighborhood plan (LO-NP) combining district zoning to limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning. Owner and Applicant: Spatz Austin Apartments, LLC (David M. Spatz). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 5. **The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-126 for limited office-mixed use-neighborhood plan (LO-MU-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.**

127. C14-2019-0069 - Saint Elmo Apartments - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4315 South Congress Avenue (Williamson Creek Watershed). Applicant's Request: To rezone from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner: Lampros Moumouris. Agent: Rivera Engineering (Michael A. Rivera). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 3.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-127 for general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.**
128. C14-2019-0079 - Talia Homes - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12500 Lamppost Lane (Walnut Creek Watershed). Applicant Request: To rezone from urban family residence (SF-5) district to townhouse & condominium residence (SF-6) district zoning. Staff Recommendation and Zoning and Platting Commission: To grant townhouse & condominium residence (SF-6) district zoning. Owner/Applicant: HQR Investments, LLC Series 12500 (Michael Vasquez). Agent: Civiltude, LLC (Eyad Kasemi). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 7.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-128 for townhouse & condominium residence (SF-6) district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.**
129. C14-2019-0073.SH - Lakeline II - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 13653 Rutledge Spur (Lake Creek Watershed). Applicant Request: To rezone from general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning to general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning, to change a condition of zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning. Owner/Applicant: FC Austin Six Housing Corporation (Walter Moreau). Agent: Civiltude, LLC (Eyad Kasemi). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.
- The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-129 for general commercial services-mixed use-conditional overlay (CS-MU-CO) combining district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.**
130. C14-2019-0040 - Victory Medical Office - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2111 Fort View Road (Williamson Creek Watershed). Applicant Request: To rezone from neighborhood office-mixed use-conditional overlay (NO-MU-CO) combining district and family residence (SF-3) district

zoning to limited office (LO) district zoning. Staff Recommendation and Planning Commission Recommendation. To grant limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning. Owner/Applicant: Eveann Investments, L.P. (William G. Franklin). Agent: Husch Blackwell, LLP (Nikelle Meade). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-130 for limited office-mixed use-conditional overlay (LO-MU-CO) combining district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

131. C14-2019-0068 - SH 45 North Tract - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 14310-15700 North FM 620 Road (Lake Creek Watershed). Applicant Request: To rezone from limited industrial (LI) district zoning, development reserve (DR) district zoning and community commercial-conditional overlay (GR-CO) combining district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant community commercial-mixed use (GR-MU) combining district zoning. Owner/Applicant: Ivalene Pearson Banks. Agent: McLean & Howard, LLP (Jeff Howard). City Staff: Sherri Sirwaitis, 512-974-3057. District(s) Affected: District 6.

The item was postponed to August 22, 2019 at the request of Council on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

132. C14-2019-0066 - Lamborghini Dealership - Aux Com Lot - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4109 Marathon Boulevard (Waller Creek Watershed). Applicant Request: To rezone from Limited Office (LO) district zoning to Community Commercial-Conditional Overlay (GR-CO) combining district. Staff Recommendation: To deny to Community Commercial-Conditional Overlay (GR-CO) combining district. Zoning and Platting Commission Recommendation: To grant indefinite postponement. Owner: Fuad Fayad. Agent: Permit Partners (David Cancialosi). City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 10.

This item was postponed indefinitely at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

133. NPA-2018-0016.04- Springdale Farms -Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 735 Springdale Road (Boggy Creek Watershed) from Single Family to Mixed Use land use. Staff recommendation and Planning Commission recommendation: To grant Mixed Use land use. Owner/Applicant: PSW - Springdale, LLC. Agent: PSW Homes LLC (Jarred Corbell). City Staff: Maureen Meredith (512) 974-2695. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-133 to change the land use designation on the future land use map (FLUM) to Mixed Use land use was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

135. C14-2019-0010 - 12213 Tech Ridge Blvd.- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 12213 Tech Ridge Boulevard (Walnut Creek Watershed) from community commercial (GR) district zoning to multifamily residence-moderate high density (MF-4) district zoning. Staff Recommendation: and Zoning and Platting Commission Recommendation: To grant multifamily residence-moderate high density (MF-4) district zoning. Owner/Applicant: Quicktrip Corporation (Matthew D. Miller). Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 7.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-135 for multifamily residence-moderate high density (MF-4) district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
136. C14-2019-0076 - 8107 Springdale Rd.- Conduct a public hearing and approve an ordinance amending City Code Title 25 by zoning property locally known as 8107 Springdale Road (Walnut Creek Watershed) from interim rural residence (I-RR) district zoning to limited industrial services (LI) district zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant limited industrial services (LI) district zoning. Owner: Ind Austx EBC, LLC. Applicant: HPI Real Estate (Christopher Balinsh). Agent: Lenworth Consulting, LLC (Nash Gonzales). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-136 for limited industrial services (LI) district zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
137. C14-2018-0155 - 3303 Manor Road - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2205 Tillery Street, 2213 Tillery Street, and 3303 Manor Road (Tannehill Branch Watershed) from general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning, and general commercial services-vertical mixed use-conditional overlay-neighborhood plan (CS-V-CO-NP) combining district zoning, and family residence-neighborhood plan (SF-3-NP) combining district zoning to general commercial services-mixed use-vertical mixed use-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Staff Recommendation: To grant general commercial services-mixed use-vertical mixed use-conditional overlay-neighborhood plan (CS-MU-V-CO-NP) combining district zoning, with conditions. Planning Commission Recommendation: To be reviewed August 13, 2019. Owner/Applicant: The Austin Groundskeeper, Inc. (Glenn F. Cooper). Agent: Drenner Group PC (Amanda Swor). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.
This item was postponed to August 22, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.
138. C14-2018-0128 - 2323 South Lamar - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 2323 South Lamar Boulevard, 2421 Bluebonnet Lane, and 2315 South Lamar Boulevard (West Bouldin Creek

Watershed) from limited office-conditional overlay (LO-CO) combining district zoning, community commercial-conditional overlay (GR-CO) combining district zoning, and community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning to limited office-vertical mixed use building-conditional overlay (LO-V-CO) combining district zoning and community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning, as amended. Staff Recommendation: To grant limited office-vertical mixed use building-conditional overlay (LO-V-CO) combining district zoning and community commercial-vertical mixed use building-conditional overlay (GR-V-CO) combining district zoning. Planning Commission Recommendation: To be reviewed August 13, 2019. Owner/Applicant: 2323 South Lamar, LTD (Kirk Rudy). Agent: Armbrust and Brown (Richard Suttle). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 5.

This item was postponed to August 22, 2019 at the request of staff on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

139. C14-2017-0022 - Bluff Springs Commercial - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 6901 and 7001 Bluff Springs Road (Williamson Creek Watershed; South Boggy Creek Watershed). Applicant's Request: To rezone from general commercial services-conditional overlay (CS-CO) combining district zoning to general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning. Staff Recommendation and Zoning and Platting Commission Recommendation: To grant general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning. Owner/Applicant: Buda Bluff, LLC (Salim Haddad). Agent: South Llano Strategies (Glen Coleman). City Staff: Wendy Rhoades, 512-974-7719. District(s) Affected: District 2.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-139 for general commercial services-conditional overlay (CS-CO) combining district zoning, to change a condition of zoning was approved on Council Member Pool's motion, Council Member Renteria's second on an 11-0 vote.

Items 107 through 111 were acted on in one combined motion.

107. C14-2018-0028 - E. Riverside Dr. and S. Pleasant Valley Rd. Tracts 1 & 2 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1109 and 1225 South Pleasant Valley Road (Country Club West Watershed). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from urban residential (UR) to corridor mixed use (CMU), with conditions. Staff Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU) on a portion of Tracts 1 & 2, with conditions. Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU), with conditions. Owner/Applicant: NRE Town Lake Property Owner, LLC and Ballpark Austin, LLC (Andrew Winograd). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Jerry Rusthoven, 512-974-3207. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for East Riverside Corridor (ERC) district zoning, to

change the subdistrict to corridor mixed use (CMU) with conditions was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-2 vote. Those voting aye were: Mayor Adler, Council Members Alter, Ellis, Flannigan, Harper-Madison, Kitchen, Pool, Renteria, and Tovo. Those voting nay were: Mayor Pro Tem Garza and Council Member Casar.

The following direction was given:

"The City Manager is directed to remove language regarding the possibility of a Chapter 26 process from the transportation memo dated August 1 referencing the zoning entitlements as Planning Commission recommends. Item #6 under the list of review findings with the Chapter 26 process language should be removed, and transportation staff should locate the two-way multi-use trail and sidewalks within Roy G. Guerrero Park adjacent to the applicant's northernmost tract identified as Tract 1 in C14-2018-0028.

"The City Manager is directed to have the Austin Transportation Department (ATD) and the Parks & Recreation Department (PARD) work together to initiate a vacation of the easement that extends across Roy G. Guerrero Park east of Wickersham Lane."

"To work with the department to try to achieve 100% storm water capture which helps address the concerns that East Riverside/Oltorf Combined (ERO) Neighborhood Planning Area raised about storm water discharge to Country Club Creek."

108. C14-2018-0027 - E. Riverside Dr. and S. Pleasant Valley Rd. Tracts 3 & 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 4700 East Riverside Drive and 1515 Wickersham Lane (Country Club West Watershed). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) and urban residential (UR) to corridor mixed use (CMU), with conditions. Staff Recommendation and Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU), with conditions. Owner/Applicant: NRE Zone, LLC and NRE Edge, LLC (Mark Farrell). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Jerry Rusthoven, 512-974-3207. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU), with conditions was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-2 vote. Those voting aye were: Mayor Adler, Council Members Alter, Ellis, Flannigan, Harper-Madison, Kitchen, Pool, Renteria, and Tovo. Those voting nay were: Mayor Pro Tem Garza and Council Member Casar.

The following direction was given:

“The City Manager is directed to remove language regarding the possibility of a Chapter 26 process from the transportation memo dated August 1 referencing the zoning entitlements as Planning Commission recommends. Item #6 under the list of review findings with the Chapter 26 process language should be removed, and transportation staff should locate the two-way multi-use trail and sidewalks within Roy G. Guerrero Park adjacent to the applicant’s northernmost tract identified as Tract 1 in C14-2018-0028.

“The City Manager is directed to have the Austin Transportation Department (ATD) and the Parks & Recreation Department (PARD) work together to initiate a vacation of the easement that extends across Roy G. Guerrero Park east of Wickersham Lane.”

“To work the department to try to achieve 100% storm water capture which helps address the concerns that East Riverside/Oltorf Combined (EROC) Neighborhood Planning Area raised about storm water discharge to Country Club Creek.”

109. C14-2018-0026 - E. Riverside Dr. and S. Pleasant Valley Rd. Tract 4 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 1600 Wickersham Lane (Country Club West Watershed). Applicant Request: To rezone from East Riverside Corridor (ERC) district zoning to East Riverside Corridor (ERC) district zoning, to change the subdistrict from neighborhood mixed use (NMU) to corridor mixed use (CMU), with conditions. Staff Recommendation and Planning Commission Recommendation: To grant East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU), with conditions. Owner/Applicant BP Riverside West, LLC (Mark Farrell). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Jerry Rusthoven, 512-974-3207. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve the ordinance on first reading only for East Riverside Corridor (ERC) district zoning, to change the subdistrict to corridor mixed use (CMU), with conditions was approved on Council Member Renteria’s motion, Council Member Flannigan’s second on a 9-2 vote. Those voting aye were: Mayor Adler, Council Members Alter, Ellis, Flannigan, Harper-Madison, Kitchen, Pool, Renteria, and Tovo. Those voting nay were: Mayor Pro Tem Garza and Council Member Casar.

The following direction was given:

“The City Manager is directed to remove language regarding the possibility of a Chapter 26 process from the transportation memo dated August 1 referencing the zoning entitlements as Planning Commission recommends. Item #6 under the list of review findings with the Chapter 26 process language should be removed, and transportation staff should locate the two-way multi-use trail and sidewalks within Roy G. Guerrero Park adjacent to the applicant’s northernmost tract identified as Tract 1 in C14-2018-0028.

“The City Manager is directed to have the Austin Transportation Department (ATD) and the Parks & Recreation Department (PARD) work together to initiate a vacation of the easement that extends across Roy G. Guerrero Park east of Wickersham Lane.”

“To work the department to try to achieve 100% storm water capture which helps address the concerns that East Riverside/Oltorf Combined (EROC) Neighborhood Planning Area raised about storm water discharge to Country Club Creek.”

Action was taken on Items 110 and 111 but were later reconsidered.

Mayor Adler recessed the meeting at 5:39 p.m.

LIVE MUSIC

THE HUMAN CIRCUIT

PROCLAMATIONS

Distinguished Service Award – Greg Guernsey – To be presented by Mayor Steve Adler and to be accepted by the honoree.

Proclamation – Americans with Disabilities 29th Anniversary Day – To be presented by Mayor Steve Adler and to be accepted by David Ondich, ADA Program Administrator.

Proclamation – Farmers Market Day – To be presented by Mayor Steve Adler and to be accepted by Edwin Marty, Food Policy Manager, Sustainable Food Center and Texas Farmers Market.

Distinguished Service Award – Alan Holt – To be presented by Council Member Kathie Tovo and to be accepted by the honoree.

Proclamation – Dr. Santiago Zamora Day – To be presented by Council Member Sabino 'Pio' Renteria and to be accepted by the honoree.

Proclamation – Austin Pride Day – To be presented by Council Member Jimmy Flannigan and to be accepted by Clayton Gibson, QWELL Community Foundation.

Mayor Adler reconvened the meeting at 7:41 p.m.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

91. Conduct a public hearing and consider a resolution to adopt the Land Use Assumptions and Roadway Capacity Plan for a Street Impact Fee program.
This item was postponed to August 22, 2019 keeping the public hearing open on Council Member Kitchen’s motion, Council Member Pool’s second on an 11-0 vote.

93. Conduct a public hearing and approve an ordinance amending various sections of City Code Title 25 (Land Development) to address density bonus increases, use regulations, and sign regulations in the University Neighborhood Overlay (UNO).

This item was postponed to September 19, 2019 on Council Member Pool's motion, Council Member Tovo's second on an 11-0 vote.

DISCUSSION ITEMS CONTINUED

The following items were acted on in one combined motion.

24. Approve a resolution adopting the East Sixth Street Public Improvement District Service and Assessment Plan and Budget update for 2020. Related to item #94 and #96. District(s) Affected: District 9.
Resolution No. 20190808-024 was approved on Council Member Flannigan's motion, Council Member Garza's second on an 11-0 vote.
25. Approve a resolution adopting the South Congress Preservation and Improvement District Service and Assessment Plan and Budget update for 2020. Related to item #95. District(s) Affected: District 9.
Resolution No. 20190808-025 was approved on Council Member Flannigan's motion, Council Member Garza's second on an 11-0 vote.
26. Approve a resolution adopting the Austin Downtown Public Improvement District Service and Assessment Plan and Budget update for 2020. Related to item #97. District(s) Affected: District 9.
Resolution No. 20190808-026 was approved on Council Member Flannigan's motion, Council Member Garza's second on an 11-0 vote.
27. Authorize negotiation and execution of a contract with Pecan Street Owners Association, Austin, Texas (dba Sixth Street Austin) for management of the E. 6th Street Public Improvement District Service Plan, to extend the term of the contract for an additional five years in an amount not to exceed \$140,000 per year. District(s) Affected: District 9.
The motion authorizing negotiation and execution of a contract with Pecan Street Owners Association doing business as Sixth Street Austin was approved on Council Member Flannigan's motion, Council Member Garza's second on an 11-0 vote.

PUBLIC HEARINGS AND POSSIBLE ACTIONS

94. Conduct a public hearing and approve a resolution re-authorizing the East Sixth Street Public Improvement District. Related to item #24 and #96. District(s) Affected: District 9.
The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20190808-094 was approved on Council Member Flannigan's motion, Council Member Garza's second on an 11-0 vote.
95. Conduct a public hearing and consider an ordinance setting the assessment rate and approving the certified 2020 assessment roll for the South Congress Preservation and Improvement District. Related to item #25. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-095 was approved on Council Member Flannigan's motion, Council Member Garza's second on an 11-0 vote.

96. Conduct a public hearing and consider an ordinance setting the assessment rate and approving the proposed 2020 assessment roll for the East Sixth Street Public Improvement District. Related to item #24 and #94. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-096 was approved on Council Member Flannigan's motion, Council Member Garza's second on an 11-0 vote.

97. Conduct a public hearing and consider an ordinance setting the assessment rate and approving the 2020 assessment roll for the Downtown Public Improvement District. Related to Item #26. District(s) Affected: District 9.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-097 was approved on Council Member Flannigan's motion, Council Member Garza's second on an 11-0 vote.

98. Conduct a public hearing and consider a resolution for an application by Decker Lofts Ltd., or an affiliated entity, for housing tax credits for a multi-family development that will be financed through the private activity bond program to be known as Decker Lofts, located at or near 9000 Decker Lane, in the City's extraterritorial jurisdiction, and acknowledging certain facts relating to the allocation of housing tax credits and private activity bonds near the proposed development.

The public hearing was conducted and a motion to close the public hearing and approve Resolution No. 20190808-098 was approved on Council Member Alter's motion, Council Member Garza's second on an 11-0 vote.

99. Conduct a public hearing and consider an appeal of the Planning Commission's decision to deny a Conditional Use Site Plan application for a Cocktail Lounge at 1300 E. 4th St. (SPC-2018-0478A - Plaza Saltillo Block E Texaco). District(s) Affected: District 3.

This item was postponed to September 19, 2019 on Council Member Renteria's motion, Council Member Ellis' second on an 11-0 vote.

100. Conduct a public hearing and consider an ordinance to amend Ordinance No. 20150604-064 by authorizing the addition of new neighborhoods to the Restricted Parking Area Map in accordance with Section 12-5-29 of the City Code, and the removing one neighborhood association from the Restricted Parking Area Map.

No action was taken.

101. Conduct a public hearing and consider an ordinance amending City Code Title 25 to create new subdistricts in the North Burnet Gateway regulating plan.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-101 was approved on Council Member Pool's motion, Council Member Alter's second on an 11-0 vote.

92. Conduct a public hearing and consider an ordinance amending City Code Section 25-2-1205 (Site Development Regulations for Mobile Home Parks) to allow recreational vehicles in mobile home parks.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-092 as amended below was approved on Council Member Kitchen's motion, Council Member Pool's second on an 11-0 vote.

The amendment was to revise Part 1, adding a new number 17 and 18 to read:

“(17) For purposes of meeting the five or more manufactured homes threshold in (16) above and tenant relocation requirements, recreational vehicles may be counted as manufactured homes if the mobile home space is providing a stay for thirty-days or longer.

(18) All residences in Mobile Home (MH) zoning must provide a stay for 30 days or longer.”

Direction was given to staff to align city technical code requirements so that mobile home parks that accommodate RVs are equipped to provide appropriate water and wastewater connections for RVs.

DISCUSSION ITEM CONTINUED

89. Approve a resolution authorizing the filing of eminent domain proceedings for the West Bouldin Creek-Del Curto Drive Storm Drain Improvement Project for the acquisition of a drainage easement consisting of approximately 9,606 square feet of land (0.221 acre) and four temporary working space easements consisting of approximately 3,805 square feet (0.087 acre), 804 square feet (0.019 acre), 414 square feet (0.009) and 434 square feet (0.010), for the West Bouldin Creek- Del Curto Drive Storm Drain Improvement Project, all easements being situated in the Isaac Decker League Survey No. 20, being out of Lot 11, Block 2, Fredericksburg Road Acres Subdivision. A Subdivision of Record in Volume 3, Page 168 of the Plat Records of Travis County, Texas, in the amount of \$371,514 for the public use of constructing drainage improvements for the West Bouldin Creek- Del Curto Drive Storm Drain Improvement Project. The owner of the needed property is The Joe Steve Williams Revocable Trust. The property is located in District 5, at 2303 Kinney Road, Austin, Texas 78704. The general route of the project is along the Eastern Lane of Kinney Road, South of Iva Lane, in Austin, Travis County, Texas. District(s) Affected: District 5.

This item was withdrawn.

Mayor Adler recessed the meeting to go into Executive Session at 8:07 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

Mayor Adler stated Items 15 and 17 would be discussed during Executive Session.

15. Approve an ordinance ordering a special municipal election to be held on November 5, 2019, for the purpose of submitting to the voters a proposed citizen-initiated ordinance, certified sufficient on February 11, 2019, regarding the conveyance of city-owned property for sports or entertainment facilities; providing for the conduct of the special election, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the elections; and declaring an emergency.
17. Approve an ordinance ordering a special municipal election to be held on November 5, 2019, for the purpose of submitting to the voters a proposed citizen-initiated ordinance, supported by a petition certified sufficient on July 26, 2019, to amend the City Code regarding the use of Austin's Hotel Occupancy Tax revenue; providing for the conduct of the special election, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the elections.

Executive Session ended and Mayor Adler called the Council Meeting back to order at 9:43 p.m.

DISCUSSION ITEMS CONTINUED

78. Approve a resolution declaring a climate emergency and calling for immediate and coordinated mobilization by the City to address the causes and consequences of climate change and directing the City Manager to take appropriate action. Council Sponsors: Council Member Alison Alter, Council Member Leslie Pool, Council Member Ann. Kitchen Council Member Kathie Tovo, and Council Member Gregorio Casar
Resolution No. 20190808-078 was approved on Council Member Alter's motion, Council Member Pool's second on an 11-0 vote.

AUSTIN HOUSING AND FINANCE CORPORATION MEETING

Mayor Adler recessed the Council Meeting and called the Board of Directors' Meeting of the Austin Housing Finance Corporation to order at 9:56 p.m. See separate minutes.

90. The Mayor will recess the City Council meeting to conduct a Board of Directors' Meeting of the Austin Housing Finance Corporation. Following adjournment of the AHFC Board meeting the City Council will reconvene.

Mayor Adler reconvened the Council Meeting at 10:06 p.m.

The motion to waive the rules and allow Council to meet after 10 p.m. was approved on Council Member Flannigan's motion, Council Member Ellis' second on a 9-0 vote. Council Member Alter abstained. Council Member Casar was off the dais.

DISCUSSION ITEMS CONTINUED

30. Approve an ordinance authorizing the City Manager to negotiate and execute an amended and restated agreement with the Zilker Botanical Garden Conservancy (Conservancy) to authorize the Conservancy to manage and operate the Zilker Botanical Garden admissions; and amending the schedule of Fees and Fines and Other Charges to be set or charged by the City (Ordinance No. 20180911-002) to increase the fee charged for admission for visitors who are not Conservancy members. District(s) Affected: District 8.

A motion to approve the ordinance with the following amendments was made by Council Member Kitchen and seconded by Council Member Ellis. The amendments were as follows:

To add to Part 2. Parks and Recreation – General Fund:

“The Parks Department shall analyze the impact of Per Day Entry Fee waivers on the goal of ensuring affordability for Austin Residents as well as n revenues for Garden improvements, and may develop alternative approaches to achieve the same affordability purpose”

To revise Part 3 to read:

“PART 3. Council authorizes negotiation and execution of an amended and restated agreement with the Conservancy that also governs the Conservancy’s management and operations of admissions to the Garden. The City Manager is directed to include language in the agreement that addresses the following concepts:

- **The Conservancy must follow the City’s fee schedule for all purposes, and Council must approve any further increases to rates.**
- **The Zilker Botanical Garden Master Plan must be approved by, and major capital improvements authorized by, City Council.**
- **The Conservancy and the City will develop a proactive outreach and marketing plan designed to inform the public about free admission to the Garden for income-eligible City of Austin residents. Electronic Benefits Transfer cards, WIC cards, STAAR cards, CHIP cards, Medicaid cards, and MAP identification cards shall be accepted as evidence of income-eligibility. Language about this waiver should appear on signage at the entrance gate and in every published schedule of admission rates.**
- **The Conservancy should provide regular updates to the Parks and Recreation Board at intervals to be determined by that body.**
- **Projects to increase accessibility to existing features shall be prioritized and, whenever appropriate, undertaken in advance of the Master Plan.**
- **Staff shall analyze planned projects for eligibility for Hotel Occupancy Tax funding and, as appropriate, submit eligible projects for funding.**
- **The Conservancy must make a presentation to the Council Audit and Finance Committee twice each calendar year. At a minimum, the update should contain detailed information about fundraising, marketing, and programming efforts to date, along with data about attendance on paid and free days.**

- Staff shall analyze planned projects for eligibility for Hotel Occupancy Tax funding and, as appropriate, submit eligible projects for funding.”

To insert the following language in the second bullet of Part 3:

“The Zilker Botanical Garden Master Plan must be approved by and coordinated with the Zilker Park Master Plan including regarding opportunities to reduce parking needs, support of increased transit options and other alternative strategies that may be realized, and major capital improvements authorized by, City Council.”

To amend the following language in the seventh bullet of Part 3:

“The Conservancy must make a presentation to the Council Audit and Finance Committee in six months and share presentation materials with Council. At a minimum, the update should contain detailed information about fundraising, marketing, and programming efforts to date, along with data about attendance on paid and free days.

An amendment was made by Council Member Tovo to revise Part 2 to read:

“PART 2. The 2018-2019 Fee Schedule, attached as Exhibit “A” to Ordinance No. 20180911-002, is amended to increase entry fees to the Zilker Botanical Garden as follows:

Parks and Recreation – General Fund

Adult Entry Fee – Non Resident Entry Fee	\$9.00 per day
Adult Entry Fee – Resident Entry Fee	\$4.00 per day
Child – Non-Resident Entry Fee	\$3.00 per day
Child – Resident Entry Fee	\$1.00 per day
Senior – Resident Entry Fee	\$1.00 per day
Senior – Non-resident Entry Fee	\$7.00 per day

“The City Manager shall waive the per day entry fee for all entrants to the Zilker Botanical Garden for the duration of the day and to include three weekend days.”

“The City Manager has the authority to waive fees for PARD Director by user groups with financial needs including but not limited, PARD Scholarship recipients, Title One Schools, Participants and PARD programs.”

Council Member Tovo moved to split the question on Part 2 Fee Schedule and to revise resident fees. The motion failed on a 3-8 vote. Council Members Garza, Pool and Tovo voted aye. Mayor Adler, Council Members Alter, Casar, Ellis, Flannigan, Harper-Madison, Kitchen, and Renteria voted nay. The amendment to the fees was:

Adult Entry Fee – Resident Entry Fee	\$8.00 per day
Child – Resident Entry Fee	\$1.00 per day
Senior – Resident Entry Fee	\$1.00 per day

A motion to approve staffs proposal was approved on Council Member Ellis's motion, Council Member Kitchen's second on an 8-3 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Alter, Casar, Ellis, Harper-Madison, Kitchen and Renteria. Those voting nay were: Council Members Flannigan, Pool and Tovo. The fees are:

Adult– Resident Entry Fee	\$6.00 per day
Adult – Non-resident Entry Fee	\$8.00 per day
Child – Resident Entry Fee	\$3.00 per day
Child – Non-Resident Entry Fee	\$4.00 per day
Senior – Resident Entry Fee	\$5.00 per day
Senior – Non-Resident Entry Fee	\$7.00 per day

Ordinance No. 20190808-030 was approved as amended above on Council Member Kitchen's motion, Council Member Ellis' second on a 10-1 vote. Council Member Flannigan voted nay.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

115. C14-2018-0124- River Place - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as Milky Way Drive (West Bull Creek Watershed). Applicant Request: To rezone from development reserve (DR) district zoning to townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning. Staff Recommendation: To grant single-family residence-large lot-conditional overlay (SF-1-CO) combining district zoning, with conditions. Zoning and Platting Commission Recommendation: Forwarded to Council without a recommendation due to lack of an affirmative vote. Owner/Applicant: Milky Way Holdings GP, LLC (Garrett S. Martin). Agent: McLean & Howard, LLP (Jeff Howard). City Staff: Sherri Sirwaitis, 512-974-3057. Related to item #32. District(s) Affected: District 6, District 10.

The public hearing was conducted and a motion to keep the public hearing open and approve on first reading only for townhouse & condominium residence-conditional overlay (SF-6-CO) combining district zoning was approved on Council Member Flannigan's motion, Council Member Casar's second on a 9-2 vote. Council Members Alter and Pool voted nay.

Direction was given to staff to explore the appropriate tool to require the land urban interface code.

DISCUSSION ITEMS CONTINUED

32. Approve an ordinance for the full purpose annexation of approximately 42.064 acres in Travis County, located approximately four-tenths of a mile east of the intersection of River Place Boulevard and Milky Way Drive. Related to item #115. District(s) Affected: District 6, District 10.

The motion to approve the ordinance on first reading only was approved without objection.

PUBLIC HEARINGS CONTINUED

110. C14-97-0010 (RCT) E. Riverside Dr. and S. Pleasant Valley Rd. Tract 4-Conduct a public hearing and approve a restrictive covenant termination on a property locally known as 1600 Wickersham Lane (Country Club West Watershed). Applicant request: To terminate the public restrictive covenant associated with zoning case C14-2018-0026. Staff recommendation and Planning Commission recommendation: To grant the restrictive covenant termination. Owner/Applicant: BP Riverside West, LLC (David Nazarian). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Jerry Rusthoven, (512) 974-3207. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve the restrictive covenant termination was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-2 vote. Those voting aye were: Mayor Adler, Council Members Alter, Ellis, Flannigan, Harper-Madison, Kitchen, Pool, Renteria, and Tovo. Those voting nay were: Mayor Pro Tem Garza and Council Member Casar.

The following direction was given:

"The City Manager is directed to remove language regarding the possibility of a Chapter 26 process from the transportation memo dated August 1 referencing the zoning entitlements as Planning Commission recommends. Item #6 under the list of review findings with the Chapter 26 process language should be removed, and transportation staff should locate the two-way multi-use trail and sidewalks within Roy G. Guerrero Park adjacent to the applicant's northernmost tract identified as Tract 1 in C14-2018-0028.

"The City Manager is directed to have the Austin Transportation Department (ATD) and the Parks & Recreation Department (PARD) work together to initiate a vacation of the easement that extends across Roy G. Guerrero Park east of Wickersham Lane."

"To work the department to try to achieve 100% storm water capture which helps address the concerns that East Riverside/Oltorf Combined (ERO) Neighborhood Planning Area raised about storm water discharge to Country Club Creek."

A motion to reconsider the item was made by Council Member Tovo and seconded by Mayor Pro Tem Garza. The motion was accepted without objection.

A motion to postpone the item to August 22, 2019 was approved on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

111. C14-72-204(RCA5) E. Riverside Dr. and S. Pleasant Valley Rd. Tracts 1-5- Conduct a public hearing and approve a restrictive covenant amendment on a property locally known as 1109 and 1225 South Pleasant Valley Road, 4700 East Riverside Drive, 1515 and 1600 Wickersham Lane (Country Club West Watershed). Applicant request: To amend the public restrictive covenant associated with zoning cases C14-2018-0026, C14-2018-0027, and C14-2018-0028. Staff and Planning Commission recommendation: To grant the restrictive covenant amendment.

Owner/Applicant: NRE Town Lake Property Owner, LLC (Andrew Winograd); Ballpark Austin, LLC (Andrew Winograd); NRE Zone, LLC (Mark Farrell); NRE Edge, LLC (Mark Farrell) and BP Riverside West, LLC (Mark Farrell). Agent: Armbrust & Brown, PLLC (Michael J. Whellan). City Staff: Jerry Rusthoven, (512) 974-3207. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve the restrictive covenant amendment was approved on Council Member Renteria's motion, Council Member Flannigan's second on a 9-2 vote. Those voting aye were: Mayor Adler, Council Members Alter, Ellis, Flannigan, Harper-Madison, Kitchen, Pool, Renteria, and Tovo. Those voting nay were: Mayor Pro Tem Garza and Council Member Casar.

The following direction was given:

"The City Manager is directed to remove language regarding the possibility of a Chapter 26 process from the transportation memo dated August 1 referencing the zoning entitlements as Planning Commission recommends. Item #6 under the list of review findings with the Chapter 26 process language should be removed, and transportation staff should locate the two-way multi-use trail and sidewalks within Roy G. Guerrero Park adjacent to the applicant's northernmost tract identified as Tract 1 in C14-2018-0028.

"The City Manager is directed to have the Austin Transportation Department (ATD) and the Parks & Recreation Department (PARD) work together to initiate a vacation of the easement that extends across Roy G. Guerrero Park east of Wickersham Lane."

"To work the department to try to achieve 100% storm water capture which helps address the concerns that East Riverside/Oltorf Combined (EROC) Neighborhood Planning Area raised about storm water discharge to Country Club Creek."

A motion to reconsider the item was made by Council Member Tovo and seconded by Mayor Pro Tem Garza. The motion was accepted without objection.

A motion to postpone the item to August 22, 2019 was approved on Mayor Pro Tem Garza's motion, Council Member Tovo's second on an 11-0 vote.

DISCUSSION ITEMS CONTINUED

33. Approve a resolution directing the City Manager to include a partial exemption from ad valorem taxes for certain historically-designated properties in budget calculations for the coming year; to provide this resolution to the Austin Independent School District; and to prepare an ordinance approving these partial exemptions to be considered by Council concurrently with the annual tax levy.
Resolution No. 20190808-033 was approved on Council Member Flannigan's motion, Council Member Tovo's second on an 11-0 vote.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

122. C14-2019-0054 - Chisholm Lane - District 5 - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 9110 Chisholm Lane (Slaughter Creek Watershed). Applicant's Request: To rezone from development reserve (DR) district zoning to single family residence-standard lot (SF-2) district zoning. Staff Recommendation: To grant single family residence-standard lot (SF-2) district zoning. Zoning and Platting Commission Recommendation: To grant single family residence-standard lot conditional overlay (SF-2-CO) combining district zoning. Owner/Applicant: Paula Lantz. Agent: Spyglass Realty & Investments (Matthew Edwards). City Staff: Wendy Rhoades, 512-974-7719. A valid petition has been filed in opposition to this rezoning request. District(s) Affected: District 5.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-122 for single family residence-standard lot (SF-2-CO) combining district zoning was approved on Council Member Kitchen's motion, Council Member Pool's second on a 10-1 vote. Council Member Flannigan voted nay.

DISCUSSION ITEMS CONTINUED

77. Approve a resolution relating to the creation of a local government corporation to address homelessness issues. Council Sponsors: Council Member Kathie Tovo, Council Member Ann Kitchen, Council Member Alison Alter, Council Member Sabino 'Pio' Renteria, Mayor Steve Adler.

Resolution No. 20190808-077 was approved on Council Member Tovo's motion, Council Member Harper-Madison's second on an 11-0 vote.

148. Approve an ordinance adopting a Capital Improvement Plan for the expansion of the Convention Center Facility; authorizing an increase in the City of Austin Municipal Hotel Occupancy Tax from 7% to 9% effective August 8, 2019 for the purpose of funding the Convention Center Expansion; and declaring an emergency.

A motion to approve the ordinance was made by Council Member Flannigan, seconded by Council Member Renteria.

A motion to amend the ordinance was made by Council Member Tovo and seconded by Council Member Alter. The amendment was to amend the ordinance as follows and provide the following direction:

To revise PART 2 by striking the language "and resulting 2017 Visitor Impact Task Force related recommendations"

To revise PART 3 to read: The City Council affirms its interest in pursuing Scenario 5 described in the "Frameworks for Placemaking: Alternative Futures for the Austin Convention District," as the general concept that should guide the planning and architectural design of the Convention Center, consistent with Resolution No. 20190523-029 as it relates to the Convention Center Master Plan. The City Manager is directed to return to Council for approval of a Request for Proposals for architectural services for the

expansion; the City Council will vote to approve the future architectural and design plans for a proposed expansion as well as contracts associated with its renovation and construction, all of which will build on the plan described in Part 2.

To revise PART 4 to read: The City Council affirms its commitment to dedicate an amount equal to 15% of the total 9% of the Hotel Occupancy Tax revenue from Texas Tax Code 351 sources to cultural arts funding and an amount equal to 15% of the total 9% of the Hotel Occupancy Tax revenue from Texas Tax Code 351 sources to historic preservation. Accounting for these funds shall occur consistent with collections and applicable bond covenants relating to financing the expansion of the existing convention center. Funding for these additional percentages for arts and for historic preservation will be included in the Austin Convention Center Department's operating budget in accordance with the expansion financing funding plan and will be reflected as transfers from the Convention Center Operating Fund to the historical preservation and cultural arts funds previously established by Council.

Additional Direction: The City Council affirms its interest and intention to partner with Travis County on a range of projects and to continue discussion about how Hotel Occupancy Taxes can best be deployed. The Council affirms its commitment to continue to pursue Convention Center expansion financing scenarios that would allow the City of Austin to retire its Convention Center debt as soon as financially feasible so that the Hotel Occupancy Taxes currently received under Chapter 334 of the Texas Local Government Code for this venue are no longer needed. A viable financial scenario for retiring Convention Center debt and expanding the Convention Center, would create a pathway which would enable Travis County to access funding under Chapter 334; the City Council looks forward to a more deliberative conversation about that possibility, alongside the consideration of other Exposition Center financing scenarios, including bonds and other financing tools available to government entities. The City Manager is directed to continue ongoing conversations about the Exposition Center, the Palm School, and other partnerships with an update to City Council no later than December 31, 2019.

A motion to revise the language in Council Member Tovo's Part 3 amendment was made by Council Member Kitchen and revised by Council Member Flannigan. The motion was accepted without objection. The language reads as follows:

“...Before construction begins, the City Manager is instructed to return to Council for approval of a Request for Proposals for architectural services for the expansion; the City Council will vote to approve the future architectural and design plans for a proposed expansion as well as contracts associated with its renovation and construction, all of which will build on the plan described in Part 2.”

Council Member Kitchen noted for the record that passage of this ordinance (item 148) does not authorize construction of the convention center without further council action.

A motion to add language to the last sentence of Council Member Tovo's Part 3 amendment was made by Council Member Alter and approved without objection. The language reads as follows:

"The City Council will vote to approve the future architectural and design plans for a proposed expansion as well as contracts associated with its renovation and construction, and approval of its financing all of which will build on the plan described in Part 2."

A motion to revise the last sentence of Council Member Tovo's direction was made by Council Member Pool and approved without objection. The language reads as follows:

"The City Manager is directed to work with Travis County to find mutually beneficial solutions for achieving shared goals on the Exposition Center, the Palm School, and other partnerships with an update to City Council no later than December 31, 2019."

A motion to include the resolution number from the resolution adopted last year by Council directing staff to do this was accepted without objection on Council Member Flannigan's motion.

Council Member Pool provided further direction was given to staff to include a financial analysis of improvements to or expansion of the expo center as a future venue and a current staff analysis that is underway to examine the convention center expansion scenarios and options; and city staff shall include a financial analysis of early defeasance of our current debt.

Ordinance No. 20190808-148 as amended above was approved on Council Member Flannigan's motion, Council Member Renteria's second on an 11-0 vote.

15. Approve an ordinance ordering a special municipal election to be held on November 5, 2019, for the purpose of submitting to the voters a proposed citizen-initiated ordinance, certified sufficient on February 11, 2019, regarding the conveyance of city-owned property for sports or entertainment facilities; providing for the conduct of the special election, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the elections; and declaring an emergency.

A motion to approve ordinance with the following amendment was made by Council Member Casar, seconded by Council Member Flannigan.

The amendment was to revise Part 1 to include the following ballot language:

"Shall a city ordinance be adopted that requires that sale, lease, conveyance, mortgage or other alienation of City-owned land for any existing or future youth, recreational or professional, sports facility, or any existing or future, entertainment facility be approved by a supermajority vote of council (9 of 11) members) and also be approved by the voters at an election for which the City must pay; requires that any site development permits and variances related thereto be approved by a supermajority vote of council (9 of 11 members),

requires that site development permits and variances related thereto be approved by the voters at an election for which the City must pay, if the sale, lease, conveyance, mortgage, or other alienation of said City—owned land for the facility has not already obtained voter approval; requires that the facility post payment and performance bonds and pay ad valorem taxes or payments equal to the amount of ad valorem taxes; and requires that all information concerning such sale, lease, conveyance, mortgage, or other alienation shall be disclosed to the public.”

A motion to amend the language failed on Council Member Pool’s motion, Council Member Kitchen’s second on a 2-9 vote. Council Members Pool and Kitchen voted aye. Mayor Adler and Mayor Pro Tem Garza, Council Members Alter, Casar, Ellis, Flannigan, Harper-Madison, Renteria and Tovo voted nay. The amendment was to adopt the language as submitted on the petition to read: “A citizen petitioned ordinance requiring that any sale, lease, conveyance, mortgage or alienation of City-owned land for a sports stadium, sports facility, sports arena, and/or entertainment stadium, entertainment facility or entertainment arena shall require city council supermajority approval and voter approval, that any site development permits and variances related thereto shall require city council supermajority approval and voter approval if such sale, lease, conveyance, mortgage, or other alienation of said City – owned land has not already obtained voter approval, that such facility shall post payment and performance bonds and shall pay ad valorem taxes or payments equal to the amount thereof, and that all information concerning such sale, lease, conveyance, mortgage or alienation shall be disclosed to the public.”

Ordinance No. 20190808-015 as amended above was approved on Council Member Casar’s motion, Council Member Flannigan’s second on an 11-0 vote.

17. Approve an ordinance ordering a special municipal election to be held on November 5, 2019, for the purpose of submitting to the voters a proposed citizen-initiated ordinance, supported by a petition certified sufficient on July 26, 2019, to amend the City Code regarding the use of Austin’s Hotel Occupancy Tax revenue; providing for the conduct of the special election, including authorizing the City Clerk to enter into joint election agreements with other local political subdivisions as may be necessary for the orderly conduct of the elections.
A motion to approve the ordinance as amended below was made by Council Member Flannigan, seconded by Council Member Ellis.

The amendment was to revise Part 2 to include the following ballot language:

“Shall an ordinance be adopted that limits, beyond existing limits in state statute and city ordinance, the use of Austin’s Hotel Occupancy Tax Revenue, including the amount of Hotel Occupancy Tax revenue that may be used to construct, operate, maintain, or promote the Austin Convention Center; requires any private third-party entity managing such funds to comply with open meeting and public information laws applicable to the City; and requires voter approval for Convention Center improvements or expansions of more than \$20,000,000 at an election for which the City must pay.”

A motion to approve the petitioner's language was made by Council Member Kitchen, seconded by Council Member Pool. The motion failed on a 4-7 vote. Council Members Alter, Pool, Kitchen and Tovo voted aye. Mayor Adler, Mayor Pro Tem Garza, Council Members Casar Ellis, Flannigan, Harper-Madison, and Renteria voted nay. The amendment was to have the language read: "A petitioned ordinance prioritizing the use of Austin's Hotel Occupancy Tax Revenue for the promotion and support of local cultural, heritage and environmental tourism; requiring voter approval and public oversight for significant expansions of the Austin Convention Center; and establishing other local requirements for the use of Hotel Occupancy Tax Revenue."

A motion to insert the words "a cap on" following the word "including" was made by Council Member Kitchen, seconded by Council Member Pool. The motion failed on a 4-7 vote. Council Members Alter, Pool, Kitchen and Tovo voted aye. Mayor Adler, Mayor Pro Tem Garza, Council Members Casar Ellis, Flannigan, Harper-Madison, and Renteria voted nay.

A motion to insert the phrase "Requires that any remaining Hotel Occupancy Tax be spent on Austin's Cultural Tourism Industry;" after "sports and community venues" was made by Council Member Kitchen, seconded by Council Member Pool. The motion failed on a 4-7 vote. Council Members Alter, Pool, Kitchen and Tovo voted aye. Mayor Adler, Mayor Pro Tem Garza, Council Members Casar Ellis, Flannigan, Harper-Madison, and Renteria voted nay.

A motion to delete the words "potential future Chapter 334 Local Government Code sports and community venues" was approved on Council Member Kitchen's motion on a 6-4 vote. Those voting aye were: Mayor Adler, Council Members Alter, Casar, Pool, Kitchen and Tovo. Those voting nay were: Mayor Pro Tem Garza, Council Members Ellis, Flannigan and Renteria. Council Member Harper-Madison abstained.

Ordinance No. 20190808-017 as amended above was approved on Council Member Flannigan's motion, Council Member Ellis' second on an 8-2 vote. Those voting aye were: Mayor Adler, Mayor Pro Tem Garza, Council Members Casar, Ellis, Flannigan, Harper-Madison, Renteria and Tovo. Those voting nay were: Council Members Pool and Kitchen. Council Member Alter abstained.

ZONING AND NEIGHBORHOOD PLAN AMENDMENTS

112. NPA-2019-0005.02 - Palm Harbor Homes M/H Park - Conduct a public hearing and approve an ordinance amending Ordinance No. 20010927-05, the Montopolis Neighborhood Plan, an element of the Imagine Austin Comprehensive Plan, to change the land use designation on the future land use map (FLUM) on property locally known as 810 Bastrop Hwy SB (Carson Creek Watershed) from Commercial to Higher Density Single Family land use. Staff Recommendation: To deny Higher Density Single Family land use. Planning Commission recommendation: Forwarded to Council without a recommendation on an affirmative vote. Owner. Palm Harbor

Homes, Inc. Applicant: City of Austin, Planning & Zoning Dept. Staff: Maureen Meredith (512) 974-2695. District(s) Affected: District 3.

A motion to approve the ordinance and close the public hearing was made by Council Member Casar, seconded by Council Member Flannigan.

A motion to add a conditional overlay that limits the number of units to 38 was made by Council Member Pool. The motion was accepted without objection.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-112 as amended above to change the future land use designation on the future land use map (FLUM) to Higher Density Single Family land use-conditional overlay was approved on Council Member Casar's motion, Council Member Flannigan's second on a 9-0 vote. Mayor Pro Tem Garza and Council Member Alter were off the dais.

113. C14-2019-0028 - Palm Harbor Homes Mobile Home Park - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 810 Bastrop Highway Southbound (Carson Creek Watershed). Applicant Request: To rezone from general commercial services - neighborhood plan (CS-NP) combining district zoning to mobile home residence - neighborhood plan (MH-NP) combining district zoning. Staff Recommendation: To deny mobile home residence - neighborhood plan (MH-NP) combining district zoning. Planning Commission Recommendation: Forwarded to Council without a recommendation on an affirmative vote. Owner: Palm Harbor Homes, Inc. City Staff: Kate Clark, 512-974-1237. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-113 for mobile home residence - neighborhood plan (MH-NP) combining district zoning was approved on Council Member Casar's motion, Council Member Flannigan's second on a 9-0 vote. Mayor Pro Tem Garza and Council Member Alter were off the dais.

A motion to add a conditional overlay that limits the number of units to 38 was made by Council Member Pool. The motion was accepted without objection.

123. C14-2019-0041 - 3706 Goodwin- Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 3706 Goodwin Avenue (Boggy Creek Watershed) from general commercial services-mixed use-neighborhood plan (CS-MU-NP) combining district zoning to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Staff Recommendation: To deny to general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-CO-NP) combining district zoning. Planning Commission Recommendation: To grant general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning. Owner/Applicant: GBME LLC (Matt Albrecht). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 1.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-123 for general commercial services-mixed use-vertical mixed use building-neighborhood plan (CS-MU-V-NP) combining district zoning was approved on

Council Member Harper-Madison’s motion, Council Member Pool’s second on an 8-1 vote. Council Member Casar voted nay. Mayor Pro Tem Garza and Council Member Alter were off the dais.

134. C14-2019-0031 - Springdale Farms - Conduct a public hearing and approve an ordinance amending City Code Title 25 by rezoning property locally known as 735 Springdale Road (Boggy Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, to change a condition of zoning. Staff Recommendation and Planning Commission Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, to change a condition of zoning. Owner/Applicant: PSW-Springdale, LLC (Jarred Corbell). City Staff: Heather Chaffin, 512-974-2122. District(s) Affected: District 3.

The public hearing was conducted and a motion to close the public hearing and approve Ordinance No. 20190808-134 for general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning, to change a condition of zoning was approved on Council Member Renteria’s motion, Council Member Harper-Madison’s second on a 9-0 vote. Mayor Pro Tem Garza and Council Member Alter were off the dais.

Council Member Flannigan made a motion to remove restrictions. The motion failed.

75. Approve a resolution directing the City Manager to prioritize the completion of the Cypress and Shoal Creek Project (Project); conduct a feasibility and financial analysis of the extension of the Seaholm Tax Increment Financing District (District); and provide Council with, no later than the end of this fiscal year: (1) a written update of the Project and (2) a feasibility and financial analysis of the extension of the District. Council Sponsors: Council Member Kathie Tovo, Council Member Leslie Pool, Council Member Ann Kitchen, Council Member Natasha Harper-Madison, Council Member Alison Alter.

A motion to approve resolution was made by Council Member Tovo, seconded by Council Member Pool.

A motion to amend the resolution was made by Mayor Adler, seconded by Council Member Renteria. The amendment is as follows:

To revise the first Be It Resolved clause to read:

“City Council directs the City Manager to review the Cypress and Shoal Creek Project and make a recommendation relative to the overall prioritized needs of the City. The City Manager is instructed to work in partnership with the Shoal Creek Conservancy and the Downtown Austin Alliance, and to streamline City processes, wherever applicable. The City Manager is directed to include an update on the progress of the Seaholm Intake Facility restoration project.”

To revise the first Be It Further Resolved clause to read:

“City Council directs the City Manager to conduct a feasibility and financial analysis of the Cypress and Shoal Creek Project, Seaholm Intake Facility, as well as other appropriate projects within and proximate to the Seaholm TIF District. In conducting this analysis, the City Manager is directed to consider multiple options for the funding of projects, including but not limited to, philanthropic funding, parks and mobility bonds, parkland dedication funds, hotel occupancy tax heritage tourism and preservation funding, as well as the extension of the Seaholm Tax Increment Financing District’s term, purpose, and geographic area eastward to Nueces Street and south to include the Seaholm Intake Facility located on parkland to help partially fund the Cypress and Shoal Creek Project improvements,, consistent with financial policies regarding Tax Increment Financing as adopted or amended by City Council.”

To revise the last Be It Further Resolved clause to read:

“City Council directs the City Manager to provide Council no later than the end of this fiscal year: (1) a detailed update, in memorandum format, of the progress of the Cypress and Shoal Creek and other identified projects and (2) an update, in memorandum format, of the progress of the feasibility and financial analysis conducted in response to this resolution, as well as other private and public funding sources available to the Cypress and Shoal Creek Project as well as other appropriate projects within and proximate to the District.”

A motion to postpone the item was made by Council Member Flannigan, seconded by Council Member Casar. The motion failed on a 3-6 vote. Those voting aye were: Council Members Casar, Flannigan and Renteria. Those voting nay were: Mayor Adler and Council Members Ellis, Harper-Madison, Kitchen, Pool, and Tovo. Mayor Pro Tem Garza and Council Member Alter were off the dais.

Resolution No. 20190808-075 was approved as amended above on Council Member Council Member Tovo’s motion, Council Member Pool’s second on an 8-1 vote. Council Member Flannigan voted nay. Mayor Pro Tem Garza and Council Member Alter were off the dais.

Mayor Adler adjourned the meeting at 4:17 a.m. without objection.

The minutes were approved on this the 22nd day of August 2019 on Council Member Harper-Madison’s motion, Council Member Alter’s second on a 11-0 vote.